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Docket No. GJE-82
Serial No. 10/069,099Remarks

Claims 1-35 are previously pending in the subject application. By this Amendment, the applicants amended claim 31. Support for the amendment to claim 31 can be found at, for example, page 7 line 6 of the specification as well as claim 32. Accordingly, claims 1-35 are before the Examiner for consideration.


The applicants respectfully traverse the Restriction Requirement in that it has been incorrectly applied under PCT Rule 13.1. Please note that, even assuming arguendo that claim 1 may be anticipated in part, such partial anticipation does not destroy the presence of a single inventive concept. Furthermore, there is no reason to believe that any unanticipated subject matter is obvious. In this regard, please note that WO 97/10887 does not address the single inventive concept, i.e. the discovery of the conjugates/ligands that are useful for separating endotoxins, of which many are novel.

The applicants do not agree with, or understand the reasoning underlying, the election requirement wherein each ligand specifying each A₁, A₂, B₁, B₂, p, D₁, D₂, X and Z is considered to be a distinct species. The applicants assume that this election of species has been required for the purposes of facilitating the search and expediting prosecution. Accordingly, the applicants respectfully submit that, upon an indication of allowable subject matter, the scope of the claims should not be limited to the elected specie.

The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 or 1.17 as required by this paper to Deposit Account 19-0065.

The Applicants invite the Examiner to call the undersigned if clarification is needed on any aspect of this amendment.

Respectfully submitted,



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